REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested. The December 1, 2005 Office Action and the Examiner's comments have been carefully considered. In response, claims are cancelled and added, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

PRIOR ART REJECTIONS

In the Office Action claim 1 is rejected under 35 USC 103 as being unpatentable over USP 6,118,972 (Yamazaki) in view of USP 5,961,226 (Nishida), and further in view of USP 5,973,797 (Tanaka).

In response, claim 1 is cancelled and new claims 4-15 are added to more clearly define the present claimed invention.

In the present claimed invention as defined by claim 4, the document size for the document placed on the document table is designated by the user interface when the cover is closed. The controller specifies a read size corresponding to the document size designated for the document on the document table. The document feeder may feed another document even after the read

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size is specified to read the image of the document on the document table. When this situation occurs in the prior art, the read size designated by the user is cancelled so as to read the document fed by the document feeder. Therefore, the document size for the document on the document table must be designated again by the user to resume copying of the document placed on the document table.

As recited in claim 4, the controller is configured to store the document size designated for the document placed on the document table in a state where the cover is closed, and to refer to the stored document size as the read size of the document placed on the document table even when the reading of the document on said document table is interrupted by reading an image of a document fed by the document feeder. Thus, it is unnecessary that the user manually operates the user interface to designate the document size for the document on the document table twice even when an interruption of copying the document placed on the document table occurs. Accordingly, the requirements which are placed on the user to obtain a copy can be reduced.

Independent claims 8 and 12, which are directed to a document reading device and a reading method for a document reading device, have limitations similar to those in claim 4.

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The cited references fail to disclose, teach or suggest the limitations set forth in claims 4, 8 and 12.

USP 6,118,972 (Yamazaki et al.) discloses a document table 301 which supports a document placed thereon and a document feeder 2 which feeds a document other than the document on the document table 301. However, Yamazaki et al. is silent about the operation of a document feeder 2 that feeds the other document while the document is present on the document table 301.

USP 5,961,226 (Nishida) discloses a user interface that designates a sheet type or size for printing sheets. However, the printing sheet does not include an image to be read.

USP 5,973,797 (Tanaka et al.) discloses a detector for detecting the size of a document on a document table. However, the detector is not manually operated by a user. Thus, the detector is not at all similar to the user interface of the present invention.

That is, the present claimed invention as defined by independent claim 4 is patentable over the cited references because the references do not disclose, teach or suggest a document reading device wherein said controller is configured to store the document size designated for a document placed on said document table in a state where said cover is closed, and to refer to the stored document size as the read size of the

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document placed on the document table, even when the reading of

the document on said document table is interrupted by reading an

image of a document fed by said document feeder (see claim 4,

lines 16-22).

In view of the foregoing, claim 4 is patentable over the

cited references under 35 USC 102 as well as 35 USC 103.

Claims 5-7 are either directly or indirectly dependent on

claim 4 and are patentable over the cited references in view of

their dependence on claim 4 and because the references do not

disclose, teach or suggest each of the limitations set forth in

claims 5-7.

Claims 8 and 12 are patentable for reasons, *inter alia*, set

forth above in connection with claim 4.

Claims 9-11 and 13-15 are dependent on claims 8 and 12

respectively, and are patentable over the cited references in

view of their dependence on claims 8 or 12 and because the

references do not disclose, teach or suggest each of the

limitations set forth in claims 9-11 and 13-15.

In view of the all of the foregoing, claims 4-15 are in form

for immediate allowance, which action is earnestly solicited.

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